

Health Regulation: Our General Role in Opening a New Health Care Facility

Certificate of Need Process

DHEC's role with opening a new health care facility generally starts with whether the new facility is in the South Carolina State Health Plan. A new facility contained in the State Health Plan is required to go through the Certificate of Need (CON) application process and receive CON approval from DHEC. A CON is required for the following health care facilities and services:

- Acute Care Hospitals (General, Long-Term, Critical Access, Intensive and Intermediate Perinatal)
- Psychiatric Services (Inpatient)
- Rehabilitation Facilities
- Psychoactive Substance Abuse Facilities (Freestanding Medical Detoxification, Inpatient Treatment, Narcotic Treatment Programs)
- Residential Treatment Facilities for Children and Adolescents
- Cardiovascular Care (Cardiac Catheterizations, Open Heart Surgery)
- Radiation Oncology
- Positron Emission Technology
- Ambulatory Surgical Facilities
- Emergency Hospital Services
- Long-Term Care Facilities and Services (Nursing Facilities, Hospice Facilities, Home Health)

Construction and Licensure Process

A new facility that is not included in the State Health Plan, e.g., an assisted-living or community residential care facility, **or** any new facility that has been issued a CON, submits an application for state licensure to DHEC, if licensure is required by state law.

After the new facility has submitted its application for licensure, DHEC then begins reviewing the new facility's design and construction plans, specifications, documents, and the construction progress. After DHEC conducts three construction progress inspections--at 50% completion, 80% completion, 100% completion-- DHEC issues a Notice of Completion (NOC) to the facility and will schedule an initial licensing inspection, to allow occupancy of the facility.

DHEC's initial licensing inspection verifies compliance with the applicable facility regulations. For example, our inspectors will look at staffing, training documentation, equipment. If the facility meets all regulatory requirements, DHEC will issue a license to the facility. The facilities, services, and providers that are required to get a license from DHEC to open and operate include, but are not limited to:

- Abortion Clinics
- Adult Day Care Facilities
- Ambulatory Surgical Facilities
- Birthing Centers
- Body Piercing Facilities
- Community Residential Care Facilities
- Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence
- Freestanding or Mobile Technology
- Hearing Aid Specialists
- Home Health Agencies
- Hospices
- Hospitals and Institutional General Infirmaries

- In-Home Care Providers
- Intermediate Care Facilities for the Intellectually Disabled
- Midwives
- Nursing Homes
- Renal Dialysis
- Residential Treatment Facilities for Children and Adolescents
- Tattoo Facilities

Medicare Certification Process

If the facility is licensed, operating, has patients, and is eligible for Medicare reimbursement, it may then submit a request to DHEC to participate in the Medicare program and to receive reimbursement. DHEC will then survey the facility based on federal Medicare requirements and standards before the facility can receive its Medicare certification from the Centers of Medicare and Medicaid Services (CMS). Facilities, services or providers that may be eligible for Medicare reimbursement include, but are not limited to:

- Ambulatory Surgery Centers
- Critical Access Hospitals
- Clinical Laboratory Improvement Amendments
- Community Mental Health Centers
- Comprehensive Outpatient Rehab Facilities
- Home Health Agencies
- Hospices
- Hospitals
- Intermediate Care Facilities for the Intellectually Disabled
- Skilled Nursing Facilities
- Portable X-Rays
- Rehabilitation Agencies
- Renal Dialysis

- Rural Health Clinics and Federally Qualified Health Centers
- Psychiatric Residential Treatment Facilities
- Swing Bed Units

DHEC's ongoing oversight includes conducting routine inspections and surveys to check the facility for compliance with state and federal laws, regulations, building and fire codes, and other applicable standards.